

REMARKS

The Final Office Action of March 12, 2004 has been carefully reviewed. Entry of the amendments to the claims, and re-examination, reconsideration, and allowance of the application are requested in view of the above amendments and the following remarks.

STATUS OF THE APPLICATION

The reissue application, as previously amended, included ten (10) claims including two (2) independent claims.

Claims 1 – 6 have been allowed and remain as previously presented.

Claims 7 - 11 have been cancelled.

Claim 12 has been amended.

New independent claim 13 has been added.

Therefore, the application now includes eight (8) claims including two (2) independent claims, and no additional fee is required, as shown by the attached AMENDMENT TRANSMITTAL LETTER.

The amendments are supported by the application, claims and drawings as filed, and therefore do no constitute new matter.

ALLOWABLE SUBJECT MATTER

It is noted with appreciation that claims 1 - 6 have been allowed.

It is further noted with appreciation that Claims 11-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office Action to include all of the limitations of the base claim and any intervening claims. Claims 11 has been rewritten as new claim13, and claim 12 has been amended to depend from new claim 13. It is therefore requested that new claim 13 and amended claim 12 be allowed.

It is additionally noted with appreciation that Examiner had underlined previously added claims 9-12 in their entirety in the amendment that was previously filed. Thank you.

RESPONSE TO CLAIM OBJECTIONS

Claims 9 and 11 have been objected to because of certain informalities. Claims 9, 10, and 11have been currently cancelled, and claim 11 rewritten as new claim13 to avoid the noted informalities. Therefore, the informalities have been avoided, and it is requested that the objections be withdrawn.

RESPONSE TO CLAIM REJECTIONS UNDER - 35 USC § 112

Claims 9-12 have been rejected under 35 U.S.C §112, second paragraph, as being indefinite for the reasons set forth in the Action. Those rejections are avoided by the above amendments which withdraw claims 9-12, includes new claim 13 which is based on claim 11 which has been indicated to be allowable, and avoids the basis for rejection. It is therefore requested that the rejections under 35 U.S.C §112, second paragraph be withdrawn and new claim 13 entered and allowed.

RESPONSE TO CLAIM REJECTIONS UNDER - 35 USC § 251

Claims 9-12 have been rejected under 35 U.S.C §251 as being an improper recapture of broadened claimed subject matter surrendered in the application for the patent upon which the present reissue is based. Claims 9-11 have been cancelled, new claim 13 which is based on claim 11, which has been indicated to be allowable, has been added, and claim 12 has been amended to depend from now allowable claim 13. Therefore, those rejections are avoided by the above amendments, and it is requested that the rejections under 35 U.S.C §251 be withdrawn and new claim 13 and amended claims 12 be allowed.

RESPONSE TO DRAWINGS OBJECTIONS

Objections have been previously been made to the drawings. Those objections have not been repeated, and assumed to have been withdrawn, based on the amendments to the claim.

CONCLUSION

In conclusion, it is believed that the present application is now in condition for allowance. Objections and rejections to the claims have been avoided by amendment. It is therefore requested that the amendments be entered and that the application be reexamined, reconsidered and allowed. No unresolved issues remain in the application.

Should any issues remain, it is requested that Examiner telephone undersigned so that we may dispose of this application. Examiner is authorized to make contact by email or facsimile.

Respectfully submitted,



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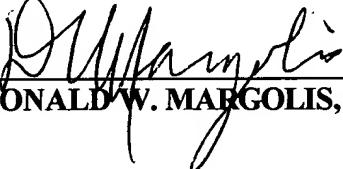
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CERTIFICATE OF MAILING STATEMENT

I hereby certify that on this date this correspondence and authorization to charge a deposit account is being deposited with the United States Postal Service as first class mail in an envelope with proper postage attached and addressed to: Commissioner for Patents, Mail Stop: Amendment - Non Fee, P.O. Box 1450, Alexandria, VA, 22313-1450



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June 4, 2004
Date

DWM: djb

and AF